

**SIXTIETH LEGISLATIVE DAY  
THURSDAY, MARCH 11, 2004**

House of Representatives

The House convened at 9:30 a.m., Mr. Denney in the Chair.

Roll call showed 66 members present.

Absent and excused -- Bedke, Robison, Stevenson,  
Mr. Speaker. Total -- 4.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Sarah Lynn Shaffer,  
Page.

**Approval of Journal**

March 11, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND  
ADMINISTRATION, report that we have read and approved the  
House Journal of the Fifty-ninth Legislative Day and recommend  
that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded  
by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 10, 2004

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and  
am transmitting to the Secretary of State the following House  
Bills, to wit:

**H 477, H 478, H 479, H 481, H 715, H 718, H 721, H 722,  
H 723, H 732, H 733, H 734, H 735, H 736, and H 737**

Very truly yours,  
/s/ DIRK A. KEMPTHORNE  
Governor

March 10, 2004

Mr. Speaker:

I transmit herewith enrolled **S 1210, S 1221, S 1237, S 1244,  
S 1245, S 1246, S 1248, S 1249, S 1255, S 1264, S 1266,  
S 1267, S 1268, S 1295, S 1296, and SCR 120** for the signature  
of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that enrolled **S 1210,  
S 1221, S 1237, S 1244, S 1245, S 1246, S 1248, S 1249,  
S 1255, S 1264, S 1266, S 1267, S 1268, S 1295, S 1296, and  
SCR 120** would be signed by the Speaker, and when so signed,  
ordered them returned to the Senate.

March 10, 2004

Mr. Speaker:

I return herewith enrolled **H 500**, as amended in the Senate,  
which has been signed by the President.

WOOD, Secretary

Enrolled **H 500**, as amended in the Senate, was referred to  
the Judiciary, Rules, and Administration Committee for delivery  
to the Governor.

March 10, 2004

Mr. Speaker:

I transmit herewith **S 1420** which has passed the Senate.

WOOD, Secretary

**S 1420** was filed for first reading.

March 10, 2004

Mr. Speaker:

I return herewith **H 542, H 551, H 553, H 561, H 562,  
H 534, H 546, H 547, H 548, H 533, H 484, H 485, H 483,  
H 486, H 505, H 506, H 522, H 523, H 607, H 509, H 535,  
H 536, H 588, H 610, H 554, H 567, H 601, H 605, H 611,  
H 493, H 489, H 491, H 494, H 497, H 490, H 492, H 496,  
H 518, H 537, H 538, and H 480** which have passed the Senate.

WOOD, Secretary

**H 542, H 551, H 553, H 561, H 562, H 534, H 546, H 547,  
H 548, H 533, H 484, H 485, H 483, H 486, H 505, H 506,  
H 522, H 523, H 607, H 509, H 535, H 536, H 588, H 610,  
H 554, H 567, H 601, H 605, H 611, H 493, H 489, H 491,  
H 494, H 497, H 490, H 492, H 496, H 518, H 537, H 538, and  
H 480** were referred to the Judiciary, Rules, and Administration  
Committee for enrolling.

March 10, 2004

Mr. Speaker:

I return herewith **H 498** which has failed the Senate.

WOOD, Secretary

**H 498** was filed in the Office of the Chief Clerk.

**Report of Standing Committees**

March 11, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND  
ADMINISTRATION report that we have printed **H 833** and  
**H 834** and House Amendments to **H 757, H 760, H 761,  
HJM 23, and H 809.**

FIELD(18), Chairman

**H 833 and H 834** were referred to the Business Committee.

March 11, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 15**, **HCR 40**, **HJM 17**, **HCR 39**, and **HCR 45**.

FIELD(18), Chairman

The Speaker Pro Tem announced that enrolled **HJM 15**, **HCR 40**, **HJM 17**, **HCR 39**, and **HCR 45**, would be signed by the Speaker, and when so signed, ordered them transmitted to the Senate for the signature of the President.

March 11, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 757**, as amended, **H 760**, as amended, **H 761**, as amended, **H 816**, as amended, **HJM 23**, as amended, and **H 809**, as amended.

FIELD(18), Chairman

**H 757**, as amended, **H 760**, as amended, **H 761**, as amended, **H 816**, as amended, **HJM 23**, as amended, and **H 809**, as amended, were filed for first reading of engrossed bills.

March 10, 2004

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1311**, **SJM 109**, and **S 1275** and recommend that they do pass.

WOOD, Chairman

**S 1311**, **SJM 109**, and **S 1275** were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

#### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

**S 1420**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

#### **First Reading of Engrossed Bills**

**H 757**, as amended, by State Affairs Committee, was introduced, read the first time by title and filed for second reading.

**H 760**, as amended, **H 761**, as amended, and **H 809**, as amended, by Revenue and Taxation Committee, were introduced, read the first time by title and filed for second reading.

**H 816**, as amended, and **HJM 23**, as amended, by Ways and Means Committee, were introduced, read the first time by title and filed for second reading.

#### **Second Reading of Bills and Joint Resolutions**

**H 828** and **H 747**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**H 830**, by Education Committee, was read the second time by title and filed for third reading.

**HJM 25** and **HJM 24**, by Ways and Means Committee, were read the second time by title and filed for third reading.

**S 1282** and **SCR 129**, by State Affairs Committee, were read the second time by title and filed for third reading.

**S 1256**, **S 1257**, **S 1258**, **S 1259**, and **S 1276**, by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

**S 1260**, **S 1371**, and **S 1382**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

**H 803**, **H 812**, and **H 811**, by State Affairs Committee, were read the second time by title and filed for third reading.

**S 1367**, by Resources and Environment Committee, was read the second time by title and filed for third reading.

**S 1430**, **S 1431**, **S 1432**, **S 1433**, and **S 1434**, by Finance Committee, were read the second time by title and filed for third reading.

#### **Third Reading of Bills and Joint Resolutions**

**H 822** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Mitchell to open debate.

The question being, "Shall **H 822** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bell, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Rydalch, Sali, Saylor, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wood. Total -- 64.

NAYS -- None.

Absent and excused -- Bedke, Black, Robison, Stevenson, Wills, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 822** passed the House. Title was approved and the bill was ordered transmitted

to the Senate.

**H 823** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Meyer to open debate.

The question being, "Shall **H 823** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bell, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wood. Total -- 63.

NAYS -- Bayer. Total -- 1.

Absent and excused -- Bedke, Black, Robison, Stevenson, Wills, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 823** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 824** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Meyer to open debate.

The question being, "Shall **H 824** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bell, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wood. Total -- 63.

NAYS -- None.

Absent and excused -- Bedke, Black, Robison, Sali, Stevenson, Wills, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 824** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**S 1415** was read the third time at length, section by section,

and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1415** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Rydalch, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wood. Total -- 64.

NAYS -- None.

Absent and excused -- Bedke, Robison, Schaefer, Stevenson, Wills, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1415** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1423** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **S 1423** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Rydalch, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Trail, Wood. Total -- 62.

NAYS -- None.

Absent and excused -- Bedke, Crow, Robison, Schaefer, Smith(24), Stevenson, Wills, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1423** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1424** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Bell to

open debate.

The question being, "Shall **S 1424** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Rydalc, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Trail, Wood. Total -- 62.

NAYS -- None.

Absent and excused -- Bedke, Crow, Robison, Schaefer, Smith(24), Stevenson, Wills, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1424** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1425** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Mitchell to open debate.

The question being, "Shall **S 1425** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bayer, Bell, Black, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Rydalc, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Trail, Wood. Total -- 58.

NAYS -- Barrett, Campbell, Cuddy, Roberts. Total -- 4.

Absent and excused -- Bedke, Crow, Robison, Schaefer, Smith(24), Stevenson, Wills, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1425** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1426** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Gagner to open debate.

The question being, "Shall **S 1426** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bell, Black, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Crow, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Rydalc, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Trail, Wood. Total -- 61.

NAYS -- Campbell, Cuddy. Total -- 2.

Absent and excused -- Bedke, Robison, Schaefer, Smith(24), Stevenson, Wills, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1426** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1427** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Meyer to open debate.

The question being, "Shall **S 1427** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bayer, Bell, Black, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Crow, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Rydalc, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wood. Total -- 60.

NAYS -- Barrett, Campbell, Cuddy, McGeachin. Total -- 4.

Absent and excused -- Bedke, Robison, Schaefer, Stevenson, Wills, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1427** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1428** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Gagner to open debate.

The question being, "Shall **S 1428** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bauer, Bayer, Bell, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Crow, Deal,

Denney, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, McGeachin, McKague, Meyer, Miller, Moyle, Nielsen, Raybould, Ridinger, Ring, Roberts, Rydalph, Sali, Shepherd, Shirley, Skippen, Smith(24), Snodgrass, Wood. Total -- 48.

NAYS -- Andersen, Campbell, Cuddy, Douglas, Henbest, Langhorst, Martinez, Mitchell, Naccarato, Pasley-Stuart, Ringo, Saylor, Smith(30), Trail. Total -- 14.

Absent and excused -- Bedke, Black, Robison, Schaefer, Smylie, Stevenson, Wills, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1428** passed the House. Title was approved and the bill was ordered returned to the Senate.

**H 797** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Shirley to open debate.

The question being, "Shall **H 797** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Eberle, Edmunson, Field(18), Field(23), Gagner, Garrett, Jones, Kellogg, Lake, Langford, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Roberts, Rydalph, Schaefer, Shirley, Skippen, Smith(24), Snodgrass, Wood. Total -- 46.

NAYS -- Boe, Clark, Douglas, Ellsworth, Eskridge, Harwood, Henbest, Jaquet, Kulczyk, Langhorst, Martinez, Moyle, Ringo, Sali, Saylor, Shepherd, Smith(30), Trail. Total -- 18.

Absent and excused -- Bedke, Robison, Smylie, Stevenson, Wills, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 797** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

#### Consideration of Messages from the Governor and the Senate

March 10, 2004

Mr. Speaker:

I return herewith **H 524**, as amended in the Senate, which has passed the Senate.

WOOD, Secretary

**H 524**, as amended in the Senate, was ordered held at the

Desk.

Mr. Meyer asked unanimous consent that the House concur in the Senate amendments to **H 524**, as amended in the Senate. There being no objection, it was so ordered.

**H 524**, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

There being no objection, the House advanced to the Eleventh Order of Business.

#### Third Reading of Bills and Joint Resolutions

Mr. Moyle moved that the House recess until 1 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1 p.m.

#### RECESS

#### Afternoon Session

The House reconvened at 1 p.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- Robison, Smylie. Total -- 2.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

#### Third Reading of Bills and Joint Resolutions

**H 666**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

Mrs. Field(18) asked unanimous consent that **H 666**, as amended, be returned to the Judiciary, Rules, and Administration Committee. There being no objection, it was so ordered.

**H 728**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 728**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Campbell, Cannon, Collins, Cuddy, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Jones, Langford, McGeachin, McKague, Meyer, Miller, Nielsen, Ridinger, Ring, Ringo,

Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Snodgrass, Trail, Wills, Wood. Total -- 43.

NAYS -- Andersen, Bauer, Bradford, Clark, Crow, Deal, Gagner, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langhorst, Martinez, Mitchell, Moyle, Naccarato, Pasley-Stuart, Roberts, Sali, Smith(30), Smith(24), Mr. Speaker. Total -- 23.

Absent and excused -- Raybould, Robison, Smylie, Stevenson. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 728**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 752**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

At this time, Mr. Denney took the Chair.

The question being, "Shall **H 752**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Field(18), Field(23), Gagner, Garrett, Harwood, Jones, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Ridinger, Ring, Ringo, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Trail, Wills, Wood. Total -- 61.

NAYS -- Kellogg. Total -- 1.

Absent and excused -- Eskridge, Henbest, Jaquet, Raybould, Robison, Smylie, Stevenson, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 752**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 799**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Roberts to open debate.

The question being, "Shall **H 799**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Field(18), Field(23), Gagner, Garrett, Harwood, Jones, Kellogg, Kulczyk, Lake, Langford, McGeachin, McKague, Meyer, Moyle, Naccarato, Nielsen,

Pasley-Stuart, Ridinger, Ring, Roberts, Rydalch, Sali, Schaefer, Shepherd, Shirley, Skippen, Snodgrass, Wills, Wood. Total -- 51.

NAYS -- Andersen, Boe, Henbest, Langhorst, Martinez, Mitchell, Ringo, Sayler, Smith(30), Trail. Total -- 10.

Absent and excused -- Eskridge, Jaquet, Miller, Raybould, Robison, Smith(24), Smylie, Stevenson, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 799**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 1302**, having previously been read the third time at length, was placed before the House for final consideration.

At this time, the Speaker returned to the Chair.

The question being, "Shall **S 1302** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Jaquet, Kellogg, Kulczyk, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 60.

NAYS -- Boe, Clark, Gagner, Henbest, Jones, Lake, Mitchell, Smith(24). Total -- 8.

Absent and excused -- Robison, Smylie. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1302** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1345** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

The question being, "Shall **S 1345** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30),

Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bauer, Kulczyk, Robison, Smylie. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1345** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1298** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bradford to open debate.

The question being, "Shall **S 1298** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30) Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 62.

NAYS -- Bolz, Moyle. Total -- 2.

Absent and excused -- Bauer, Deal, Harwood, Kulczyk, Robison, Smylie. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1298** passed the House. Title was approved and the bill was ordered returned to the Senate.

**SCR 130** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **SCR 130** be adopted?"

Whereupon the Speaker declared **SCR 130** adopted by voice vote and ordered the resolution returned to the Senate.

**SCR 131** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Miller to open debate.

The question being, "Shall **SCR 131** be adopted?"

Whereupon the Speaker declared **SCR 131** adopted by voice

vote and ordered the resolution returned to the Senate.

**S 1372** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **S 1372** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Kulczyk, Moyle, Naccarato, Robison, Smylie. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1372** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1279**, as amended, as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Edmunson to open debate.

The question being, "Shall **S 1279**, as amended, as amended in the House, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bedke, Kulczyk, Robison, Smylie. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1279**, as amended, as amended in the House, passed the House. Title was approved

and the bill was ordered returned to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

ATTEST:

PAMM JUKER, Chief Clerk

**Consideration of Messages from the  
Governor and the Senate**

March 11, 2004

Mr. Speaker:

I transmit herewith **S 1353, S 1416, S 1440, S 1437, S 1287**, as amended, and **S 1301**, as amended, which have passed the Senate.

WOOD, Secretary

**S 1353, S 1416, S 1440, S 1437, S 1287**, as amended, and **S 1301**, as amended, were filed for first reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**S 1353**, by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

**S 1416**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

**S 1440**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Business Committee.

**S 1437**, by State Affairs Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

**S 1287**, as amended, by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

**S 1301**, as amended, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Denney moved that the House adjourn until 9:30 a.m., Friday, March 12, 2004. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 3:14 p.m.

BRUCE NEWCOMB, Speaker